

KUSH QUEEN ENTERPRISES, LLC
ATTN: Melissa Dagodag
468 North Camden Drive
Beverly Hills, CA 90210

KUSH QUEEN, LLC
ATTN: Michael Sawyer
17205 Lorne Street
Lake Balboa, CA 91406

KUSH QUEEN ENTERPRISES, LLC
ATTN: Company President
8306 Wilshire Blvd., Ste. 300
Beverly Hills, CA 90211

KUSH QUEEN, LLC
ATTN: Company President
2831 Fruitridge Rd., Ste. 1
Sacramento, CA 95820

May 21, 2025

Via Certified Mail

60-Day Notice of Violation:
California Health and Safety Code §25249.5 *et seq.* (Proposition 65)

To Whom it May Concern,

My law office represents Biosphere Watch Group SPC, a California social purpose corporation that seeks to safeguard the public from exposure to harmful chemicals by helping to reduce the prevalence of such toxins, educate about warning requirements, encourage corporate responsibility, and create a safe environment for workers and the public.

I am sending this notice on behalf of Biosphere Watch Group SPC acting in the public interest. I have identified the following violations of California's Safe Drinking Water and Toxic Enforcement Act of 1986 ("Proposition 65" or "Prop. 65" or "the Act"), codified at California Health & Safety Code §25249.5 *et seq.*, with respect to the product listed below. I hereby send this 60-Day Notice ("Notice") to the alleged violator(s) listed above, who is a person in the course of business in California ("Violator"), and to the public prosecutors listed in the attached Electronic Distribution List. The violations covered by this Notice consist of the product exposure, routes of exposure and types of harm potentially resulting from exposure to the hazardous substance identified below, as follows:

Covered Product(s):	See Exhibit A
Listed Chemical:	Delta-9-Tetrahydrocannabinol (Δ 9-THC or Delta-9-THC)
Routes of exposure:	Ingestion, Dermal exposure
Types of harm:	Birth defects and other reproductive harm

Nature of Alleged Violation (Consumer Product Exposure)

Section 25249.6 of the Act states that “no person in the course of doing business shall knowingly and intentionally expose any individual to a chemical known to the state to cause cancer or reproductive toxicity without first giving clear and reasonable warning to such individual...” The products that are causing consumer exposures to Delta-9-THC (“Listed Chemical”) in violation of Proposition 65 which is covered by this notice are hereafter referred to as the “Covered Products.”

Please note that this is only an example of the full range of products manufactured, distributed, and/or sold by Violator for which penalties may apply. Exposures to the Listed Chemical from use of the Covered Products have occurred, and continue to occur, without the “clear and reasonable warning” required by Proposition 65. Such exposures date at least as far back as February 6, 2025 and possibly earlier, beginning when the Covered Products were first sold in California without the appropriate warning(s).

Without clear and reasonable warnings regarding the potentially harmful effects from exposure to the Listed Chemical that could result from using the Covered Products, California citizens lack the information they need to make informed decisions regarding how to reduce or eliminate their risk of toxic exposure. Thus, manufacturers of the Covered Products must provide appropriate warnings. In addition, pursuant to Proposition 65, internet sales of the Covered Products must also provide the customer with a clear and reasonable warning about the risk of reproductive harm from the Listed Chemical.

Consumers, including pregnant women of childbearing age, are exposed to the Listed Chemical when they ingest or are otherwise exposed to the Covered Products, which are reasonably foreseeable uses of the Covered Product. The Listed Chemical can also be transferred to consumers' skin after coming into contact with the Covered Product.

Here, Violator knowingly and intentionally exposed, and continues to expose, consumers within the State of California to the Listed Chemical without providing the required clear and reasonable warnings that the Covered Products contain the Listed Chemical. Biosphere Watch Group desires to protect the public by causing Violator to stop manufacturing, distributing

and/or selling the Covered Products, or to provide sufficiently clear and reasonable warnings as required by Proposition 65.

Number and Duration of Violations

Each and every instance where a Covered Product is offered for sale to a customer within the State of California without an appropriate clear and reasonable warning, in the format required by California statute and regulations, constitutes a separate violation of Proposition 65. This includes transactions made in-person, via catalog, over the phone, and over the internet by the recipients of this Notice as well as by any other sellers of the Covered Products. Please note that the Covered Products specifically identified in this Notice are not an exhaustive list of Violator's products that may violate Proposition 65 and for which a penalty may apply.

The violations in this case are ongoing and will continue to occur until the Covered Products are no longer sold to customers within California, or are sold with an appropriate warning. As mentioned, these violations have been occurring since at least February 6, 2025 as well as every day since the Covered Products were introduced into commerce within California.

Proposition 65 Information

For general information about the requirements of California's Proposition 65, you may contact the Office of Environmental Health Hazard Assessment's (OEHHA) Proposition 65 Implementation Office at (916) 445-6900. For the Violator's reference, a copy of "The Safe Drinking Water and Toxic Enforcement Act of 1986 (Proposition 65): A Summary" prepared by OEHHA is attached.

Resolution of Noticed Claims

Based on the information contained herein and in the Certificate of Merit provided to the Attorney General, Law Firm intends to file a citizen enforcement action on behalf of Biosphere Watch Group against Violator sixty (60) days after effective service of this Notice unless the relevant public enforcement agencies have commenced and are earnestly prosecuting an action against Violator to redress the violations discussed in this Notice; or, unless Violator enters into a binding written agreement that addresses said violations by either recalling any Covered Products which have already been sold or taking steps to provide warnings to consumers who have purchased the Covered Products, adding the appropriate warning to Covered Products that will be sold in the future, and paying an appropriate civil penalty.

If Violator desires to resolve this dispute without resorting to costly and time-consuming litigation, I welcome the opportunity to discuss a potential settlement that serves the public's interest in preventing exposure to toxic chemicals without adequate warnings. Please direct all such communications to my office at the address below. Settlements can be finalized once the 60-day notice period has elapsed.

Please note that any settlement, civil complaint or substantive court orders in this matter must be submitted to the state Attorney General. Neither I nor my client speak for the Attorney General, or any district attorney or city attorney who receives this Notice.

Preservation of Evidence

This Notice serves as a respectful demand to preserve and maintain all relevant evidence pending resolution of this matter. Such relevant evidence includes but is not limited to any information relating to the presence or potential presence of the Listed Chemical in the Covered Products (such as Certificates of Analysis (COAs) and other laboratory test results); purchase and sales information for the Covered Products sold within California; any efforts to comply with Proposition 65 with respect to the Covered Products; communications relating to the presence or potential presence of the Listed Chemical in the Covered Products (such as statements on Violator's packaging or website); and representative exemplars of each specific product falling within the Covered Products. This demand applies to all relevant evidence for the Covered Products sold in the State of California, as far back as when the Covered Products were first produced or sold by Violator, through the date of the resolution of the claims alleged in this Notice.

Additional Notice Information

Examples of the Covered Products recently observed as being available for purchase or use by consumers within the State of California without the required clear and reasonable warning, which are covered by this Notice, are identified in Exhibit A. The example is not an exhaustive list. It is intended to assist Violator in investigating and identifying the extent of the potential exposures to the Listed Chemical from other items that Violator manufactured, distributed, or sold which are not specifically named here but which fall within the definition of the Covered Products.

In accordance with 27 CCR §25600.2(g), please promptly answer the questions on Exhibit B, and return with receipt confirmation to the mailing and/or email address listed below within fifteen (15) calendar days of receipt of this letter.

Contact Information

Please refrain from contacting my client. Rather, please direct all communications regarding this Notice to my office at the following address, email and/or phone number:

Law Offices of Omar Figueroa
ATTN: Prop. 65 Division
7770 Healdsburg Avenue
Sebastopol, CA, 95472
707-829-0215
prop65@omarfigueroa.com

I look forward to your prompt response. Thank you.



Lauren A. Mendelsohn, Esq.

Attached:

- Exhibit A
- Exhibit B
- Proposition 65 - A Summary
- Certificate of Merit
- Proof of Service

EXHIBIT A

Covered Product
(Not an exhaustive list of potential violations)

Exemplar Product	URL for Exemplar	Manufacturer	Chemical(s)
Melt 1:1 THC & CBD Lotion - 2oz (200mg)	https://kushqueen.shop/products/melt-thc-cbd-lotion	Kush Queen	Delta-9-THC
Bôost Liquid THC Concentrate	https://kushqueen.shop/products/boost-cannabinoid-concentrate	Kush Queen	Delta-9-THC
Relax 1:1 CBD & Delta 9 THC Bath Bomb	https://kushqueen.shop/products/relax-cbd-delta-9-thc-bath-bomb	Kush Queen	Delta-9-THC
Strawberry Delta 9 THC + Pack	https://kushqueen.shop/products/strawberry-delta-9-thc-chews	Kush Queen	Delta-9-THC

EXHIBIT B

As it relates to the Covered Product, please provide the full legal entity name and any known contact information for:

1. Any and all manufacturers
2. Any and all producers
3. Any and all packagers
4. Any and all direct vendors
5. Any and all exporters
6. Any and all shippers
7. Any and all distributors
8. Any and all sellers

Please send the above-requested information to the Law Offices of Omar Figueroa within fifteen (15) calendar days of receipt of this Notice to the mailing and/or email address listed in the Notice. Thank you for your anticipated cooperation.

CERTIFICATE OF MERIT

I, Lauren Mendelsohn, hereby declare:

This Certificate of Merit accompanies the attached initial sixty-day notice in which it is alleged that the parties identified in the notice have violated Health and Safety Code §25249.6 by failing to provide clear and reasonable warnings.

I am the attorney for the noticing party.

I have consulted with one or more persons with relevant and appropriate experience or expertise who has/have reviewed facts, studies, or other data regarding the alleged exposure to the listed chemical that is the subject of this action and/or the listed chemical in substantially similar products and exposes individuals through the same potential routes.

Based on the information obtained through those consultations, and on all other information in my possession, I believe there is a reasonable and meritorious case for the private action. I understand that “reasonable and meritorious case for the private action” means that the information provides a credible basis that all elements of the plaintiff’s case can be established and the information did not prove that the alleged Violator will be able to establish any of the affirmative defenses set forth in the statute.

The copy of this Certificate of Merit served on the Attorney General attaches to it factual information sufficient to establish the basis for this certificate under Health and Safety Code §25249.7(h)(2) including (i) the identity of the persons consulted with and relied on by the certifier, and (ii) certain facts, studies, or other data reviewed by those persons.

Dated: May 16, 2025



Lauren A. Mendelsohn, Esq.

PROOF OF SERVICE

I, the undersigned, declare under penalty of perjury:

I am over the age of 18 years and not a party to the within action. I am a resident or employed in the county where the mailing occurred. My business address is 7770 Healdsburg Avenue, Sebastopol, California, 95472.

On the date below, I caused to be served the following documents:

SIXTY-DAY NOTICE OF VIOLATION OF HEALTH & SAFETY CODE § 25249.5 ET. SEQ. (PROPOSITION 65);
CERTIFICATE OF MERIT; THE SAFE DRINKING WATER AND TOXIC ENFORCEMENT ACT OF 1986
(PROPOSITION 65): A SUMMARY; PROOF OF SERVICE; ELECTRONIC DISTRIBUTION LIST

By First Class Certified Mail, Return Receipt through the U.S. Postal Service by placing true and correct copies of the above documents in a sealed envelope, addressed to each alleged violator listed below and providing such envelope to a U.S. Postal Service Representative.

KUSH QUEEN ENTERPRISES, LLC
ATTN: Melissa Dagodag
468 North Camden Drive
Beverly Hills, CA 90210

KUSH QUEEN, LLC
ATTN: Michael Sawyer
17205 Lorne Street
Lake Balboa, CA 91406

KUSH QUEEN ENTERPRISES, LLC
ATTN: Company President
8306 Wilshire Blvd., Ste. 300
Beverly Hills, CA 90211

KUSH QUEEN, LLC
ATTN: Company President
2831 Fruitridge Rd., Ste. 1
Sacramento, CA 95820

By Electronic Mail by causing true and correct electronic copies of the above documents to be e-mailed to public prosecutors on the attached "Electronic Distribution List."

By Electronic Upload by causing true and correct copies of the above documents (and additional Factual Information in Support of Certificate of Merit) to be uploaded to the California Attorney General's website at the web address below.

Office of the California Attorney General
Proposition 65 Enforcement Reporting
ATTN: Prop 65 Coordinator
<https://oag.ca.gov/prop65/add-60-day-notice>

Executed on May 21, 2025, at Sebastopol, California.



Lauren Mendelsohn, Esq.

Proposition 65 Public Prosecutors: Electronic Distribution List

Alameda County District Attorney CEPDProp65@acgov.org	San Diego District Attorney SanDiegoDAProp65@sdca.org
Calaveras County District Attorney Prop65Env@co.calaveras.ca.us	San Diego City Attorney CityAttyProp65@sandiego.gov
Contra Costa County District Attorney sgrassini@contracostada.org	San Francisco District Attorney alexandra.grayner@sfgov.org
Fresno County District Attorney consumerprotection@fresnocountyca.gov	San Francisco City Attorney Prop65@sfcityattorney.org
Inyo County District Attorney inyoda@inyocounty.us	San Joaquin County District Attorney DAConsumer.Environmental@sjca.org
Lassen County District Attorney dchandler@co.lassen.ca.us	San Luis Obispo County District Attorney edobroth@co.slo.ca.us
Mariposa County District Attorney mcda@mariposacounty.org	Santa Barbara County District Attorney DAProp65@co.santa-barbara.ca.us
Marin County District Attorney consumer@marincounty.gov	El Dorado County District Attorney EDCDAPROP65@edca.us
Merced County District Attorney Prop65@countyofmerced.com	Santa Clara County District Attorney EPU@da.sccgov.org
Monterey County District Attorney Prop65DA@co.monterey.ca.us	San Jose City Attorney Proposition65notices@sanjoseca.gov
Napa County District Attorney CEPD@countyofnapa.org	Santa Cruz County District Attorney Prop65DA@santacruzcounty.us
Nevada County District Attorney DA.Prop65@co.nevada.ca.us	Sonoma County District Attorney Jeannie.Barnes@sonoma-county.org
Placer County District Attorney Prop65@placer.ca.gov	Tulare County District Attorney Prop65@co.tulare.ca.us
Plumas County District Attorney Davidhollister@countyofplumas.com	Ventura County District Attorney daspecialops@ventura.org
Riverside County District Attorney Prop65@rivcoda.org	Yolo County District Attorney cfepd@yolocounty.org
Sacramento County District Attorney Prop65@sacda.org	

<https://oag.ca.gov/prop65/electronic-service>